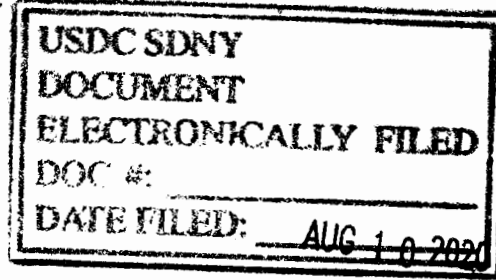


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August 6, 2020

Via ECF

Honorable George B. Daniels
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

AUG 10 2020

SO ORDERED

The status conference is
adjourned from August 12,
2020 to December 2, 2020 at
9:45 a.m.

George B. Daniels
HON. GEORGE B. DANIELS

Re: CVI Investments, Inc. v. Mariano, 19-cv-2960 (S.D.N.Y.); Hudson Bay v. Patriot National, Inc. and Steven Mariano, 16-cv-2767 (S.D.N.Y.)

Dear Judge Daniels:

We represent plaintiff CVI Investments, Inc. ("CVI") and are writing on behalf of all parties to both of the above-referenced actions. A status conference is scheduled before Your Honor next Wednesday, August 12, 2020. The parties respectfully request that the Court accept this letter as a status update in lieu of conducting the status conference and that a further status conference be scheduled for three months from now.

As Your Honor may recall, at the last status conference in these cases held on March 4, 2020, the parties were engaged in written discovery. CVI was negotiating with several third parties to obtain documents pursuant to subpoenas it had issued. The parties anticipated scheduling additional depositions after the document discovery was completed. The parties were hopeful that they could complete discovery on the remaining claims by the end of July 2020.

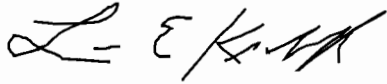
Almost immediately after that status conference, the coronavirus pandemic caused shut downs of businesses and stay at home orders to be issued around the country. This caused a delay in the progress of the parties' discovery efforts. Then, on April 20, 2020, the Second Circuit issued a ruling in a related case affirming this Court's dismissal of claims by Mr. Mariano against CVI. In light of that ruling, the parties jointly requested, and the Court ordered, mediation before Magistrate Judge Stewart D. Aaron. The mediation session occurred on June 9, 2020. The parties did not reach an agreement during the mediation but have continued to engage in settlement discussions since that time.

Honorable George B. Daniels
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Based on these developments, the parties have not completed discovery in the above-referenced actions. The parties are continuing to address potential settlement and discussing the discovery that remains before these cases will be ready for trial. The parties respectfully request that the Court schedule a further status conference for late October 2020.

We appreciate Your Honor's continuing attention to these matters.

Respectfully,

A handwritten signature in black ink, appearing to read 'L E Krabill', with a stylized flourish at the end.

Laura E. Krabill

Cc: All counsel of record (via ecf)